

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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S B ICE, LLC
A Florida Limited liability company,

ECF CASE

08 cv 3164 (DLC)

Plaintiff,

NOTICE OF MOTION

-against-

MGN, LLC d/b/a/ TOUCH, a New York limited
Liability company, MUHAMET NIKEZI, an
Individual, and NAIM NEZAJ, and individual,

Defendants.

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PLEASE TAKE NOTICE that upon the annexed declaration of Glenn A. Wolther, dated August 4, 2008, the exhibits thereto, the accompanying memorandum of law, and the pleadings and all prior proceedings had herein, Defendants will move before the Honorable Denise Cote, United States District Judge, at the United States Courthouse, Southern District of New York, at 500 Pearl Street, New York, New York 10007, at a time and date to be determined by the Court, for an Order pursuant to Rule 12(c) granting Defendants: (i) dismissal of Plaintiff's Complaint with prejudice and (ii) for such other and further relief as the Court deems just and proper.

DATED: New York New York
August 4, 2008

/s/ Glenn A. Wolther
Glenn A. Wolther [GW 5740]
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